

AMENDED IN ASSEMBLY AUGUST 7, 2006

AMENDED IN SENATE MAY 1, 2006

AMENDED IN SENATE MARCH 20, 2006

**SENATE BILL**

**No. 1125**

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**Introduced by Senator Chesbro**  
(Coauthor: Assembly Member Berg)

January 9, 2006

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~~An act to amend and repeal Section 6217 of, and to add Section 6217.9 to, the Public Resources Code, relating to natural resources. An act to amend, repeal, and add Section 6217 to the Public Resources Code, relating to natural resources.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 1125, as amended, Chesbro. Natural resources: funding.

*Under existing law, with specified exceptions, the revenue, money, and remittances received by the State Lands Commission are required to be applied to specified obligations in a prescribed order, including specified amounts to the Resources Trust Fund. Existing law provides for these provisions to become inoperative on July 1, 2006, and to be repealed January 1, 2007. Existing law provides that on and after July 1, 2006, with specified exceptions, all revenue money, and remittances received by the State Lands Commission are to be deposited in the General Fund, and made available each fiscal year for specified purposes.*

*This bill would provide that from July 1, 2007 to July 1, 2012, with specified exceptions, the revenue, money, and remittances received by the State Lands Commission be applied first to the General Fund to make specific payments in any fiscal year, then to the California*

*Housing Trust Fund in the amount of \$2,000,000 each fiscal year, and then the balance to the Resources Trust Fund each fiscal year.*

*The bill would create various accounts in the Resources Trust Fund and specify amounts and purposes of expenditure from those accounts and the Resources Trust Fund, upon appropriation, as specified, in the annual Budget Act. The bill would require the Controller to annually transfer the unencumbered balance in the Resources Trust Fund, to the General Fund.*

*The bill would provide that on or after July 1, 2012, with specified exceptions, the revenue, money, and remittances received by the State Lands Commission are to be deposited in the General Fund, and made available each fiscal year for specified purposes.*

~~Existing law, until July 1, 2006, requires the State Lands Commission to deposit specified money in the State Treasury, and the money to be applied to specified obligations in a certain priority. Existing law requires the Controller to transfer in each fiscal year the remainder of that money, after it is used to meet the specified obligations, to the Resources Trust Fund. Existing law requires the Controller to annually transfer specified amounts from the Resources Trust Fund to the Salmon and Steelhead Restoration Account, the Marine Life and Marine Reserve Management Account, the State Parks System Deferred Maintenance Account, and the Natural Resources Infrastructure Fund, in order of priority, for specified uses upon appropriation by the Legislature. Existing law requires the Controller to transfer any unencumbered balances remaining in the Salmon and Steelhead Restoration Account, the Marine Life and Marine Reserve Management Account, the State Parks Deferred Maintenance Account, and the Natural Resources Infrastructure Fund on June 30 of each year to the General Fund.~~

~~Existing law, on and after July 1, 2006, requires the specified money that the State Lands Commission is required to deposit in the State Treasury until July 1, 2006, to be deposited by the commission in the General Fund and made available each fiscal year for specified purposes.~~

~~This bill would repeal those provisions operative on and after July 1, 2006, and delete the repeal date of those provisions that are operative only until July 1, 2006. The bill, instead of requiring the Controller to annually transfer the amounts specified in existing law from the Resources Trust Fund to those accounts and that fund, would require the Controller to annually transfer from the Resources Trust Fund,~~

~~\$10,000,000 to the Salmon and Steelhead Restoration Account, \$5,000,000, for 10 years, to the Coastal Wetlands Account, which the bill would create in the Resources Trust Fund, \$10,000,000 to the Marine Life and Marine Reserve Management Account, \$10,000,000 to the Nongame Fish and Wildlife Program Account, which the bill would create in the Resources Trust Fund, \$10,000,000 to the State Parks System Deferred Maintenance Account, \$5,000,000 to the Wetlands and Riparian Habitat Conservation Account, which the bill would create in the Resources Trust Fund, and the remainder to the Natural Resources Infrastructure Fund, in order of priority, for specified uses, upon appropriation by the Legislature. The bill would require the Controller to transfer any unencumbered balances remaining in the Salmon and Steelhead Restoration Account, the Marine Life and Marine Reserve Management Account, the State Parks Deferred Maintenance Account, and the Nongame Fish and Wildlife Program Account on June 30 of each year to the General Fund.~~

~~The bill would require the Coastal Wetlands Account to be an interest-bearing account administered by the Treasurer. The bill would prohibit the principal of the Coastal Wetlands Account from being expended, and require it to be maintained, so that the interest earned by the account will provide a continuous source of funding for wetlands maintenance. The bill would require 60% of the interest on the account to be appropriated in the annual Budget Act to the Department of Fish and Game for expenditure for maintenance of coastal wetlands owned by the department, and the remaining 40% of the interest to be appropriated to the State Coastal Conservancy for expenditure in the form of grants for maintenance of coastal wetlands property owned by the state, a conservancy of the state, a local government agency, or a nonprofit organization, as specified. The bill would require grants to be used only for coastal wetlands that are located south of the northern boundary of Santa Barbara County. The bill would authorize the department and the conservancy to accept contributions to the Coastal Wetlands Account, as specified.~~

~~The bill would require the money in the Nongame Fish and Wildlife Program Account to be appropriated in the annual Budget Act to the Department of Fish and Game for expenditure for management and protection of nongame fish and wildlife trust resources, and law enforcement activities relating to that management and protection, as specified.~~

~~The bill would require money in the Wetlands and Riparian Habitat Conservation Account to be appropriated in the annual Budget Act to the Wildlife Conservation Board for expenditure on wetland and riparian habitat projects, as specified.~~

~~The bill would declare that because of the unique circumstances applicable only to the area of the state south of the northern boundary of Santa Barbara County, a statute of general applicability cannot be enacted within the meaning of the California Constitution and a special statute is necessary.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     *SECTION 1. Section 6217 of the Public Resources Code, as*  
2     *amended by Section 24 of Chapter 240 of the Statutes of 2003, is*  
3     *amended to read:*

4     6217. (a) With the exception of revenue derived from state  
5     school lands and from sources described in Sections 6217.6,  
6     6301.5, 6301.6, 6855, and Sections 8551 to 8558, inclusive, and  
7     Section 6404 (insofar as the proceeds are from property that has  
8     been distributed or escheated to the state in connection with  
9     unclaimed estates of deceased persons), the commission shall  
10    deposit all revenue, money, and remittances received by the  
11    commission under this division, and under Chapter 138 of the  
12    Statutes of 1964, First Extraordinary Session, in the General  
13    Fund. Out of those funds deposited in the General Fund,  
14    sufficient moneys shall be made available each fiscal year for the  
15    following purposes:

16    (1) Payment of refunds, authorized by the commission, out of  
17    appropriations made for that purpose.

18    (2) Payment of expenditures of the commission as provided in  
19    the annual Budget Act.

20    (3) ~~Payments~~ *Payment* to cities and counties of the amounts  
21    specified in Section 6817 for the purposes specified in that  
22    section, out of appropriations made for that purpose.

23    (4) ~~Payments~~ *Payment* to cities and counties of the amounts  
24    agreed to pursuant to Section 6875, out of appropriations made  
25    for that purpose.

26    (b) This section shall become operative on July 1, 2006.

1     (c) *This section shall become inoperative on July 1, 2007, and,*  
2 *as of January 1, 2008, is repealed, unless a later enacted statute,*  
3 *that becomes operative on or before January 1, 2008, deletes or*  
4 *extends the dates on which it becomes inoperative and is*  
5 *repealed.*

6     SEC. 2. *Section 6217 is added to the Public Resources Code,*  
7 *to read:*

8     6217. *With the exception of revenue derived from state school*  
9 *lands and from sources described in Sections 6217.6, 6301.5,*  
10 *6301.6, 6855, and Sections 8551 to 8558, inclusive, and Section*  
11 *6406 (insofar as the proceeds are from property that has been*  
12 *distributed or escheated to the state in connection with*  
13 *unclaimed estates of deceased persons), the commission shall*  
14 *deposit in the State Treasury all revenue, money, and remittances*  
15 *received by the commission pursuant to this division, and*  
16 *pursuant to Chapter 138 of the Statutes of 1964, First*  
17 *Extraordinary Session, and those funds shall be applied to the*  
18 *following obligations in the following order of priority:*

19     (a) *To the General Fund, the revenue necessary to provide in*  
20 *any fiscal year for the following:*

21         (1) *Payment of refunds, authorized by the commission, out of*  
22 *appropriations made for that purpose by the Legislature.*

23         (2) *Payment of expenditures of the commission as provided in*  
24 *the annual Budget Act enacted by the Legislature.*

25         (3) *Payment to cities and counties of the amounts specified in*  
26 *Section 6817 for the purposes specified in that section, and the*  
27 *revenues so deposited are appropriated for that purpose.*

28         (4) *Payment to cities and counties of the amounts agreed to*  
29 *pursuant to Section 6875.*

30     (b) *To the California Housing Trust Fund, each fiscal year,*  
31 *the amount of two million dollars (\$2,000,000).*

32     (c) (1) *After meeting the obligations in subdivisions (a) and*  
33 *(b), the Controller shall transfer the balance of all revenue,*  
34 *money, and remittances received by the commission pursuant to*  
35 *this section in each fiscal year to the Resources Trust Fund*  
36 *which is hereby created in the State Treasury.*

37         (2) *The money in the Resources Trust Fund shall be collected*  
38 *for the purposes of, and held in trust for, preserving and*  
39 *protecting the natural and recreational resources of the state*  
40 *and, for this purpose, the Controller shall annually transfer the*

1 following sums from the Resources Trust Fund to the following  
2 accounts and fund in the following order of priority:

3 (A) Ten million dollars (\$10,000,000) to the Salmon and  
4 Steelhead Trout Restoration Account which is hereby created in  
5 the Resources Trust Fund. The money in the account shall be  
6 appropriated in the annual Budget Act to the Department of Fish  
7 and Game for expenditure for the recovery of coho salmon, other  
8 species of salmon, and anadromous trout pursuant to Section  
9 6217.1 of this code and Chapter 8 (commencing with Section  
10 2760) of Division 3 of the Fish and Game Code.

11 (B) Five million dollars (\$5,000,000) annually, to the Coastal  
12 Wetlands Account, which is hereby created in the Resources  
13 Trust Fund and which shall be an interest-bearing account  
14 administered by the Treasurer. The principal of the Coastal  
15 Wetlands Account shall not be expended, and shall be  
16 maintained, so that the interest earned by the account will  
17 provide a continuous source of funding for wetlands  
18 maintenance. The interest on the Coastal Wetlands Account shall  
19 be appropriated in the annual Budget Act according to the  
20 following schedule:

21 (i) Sixty percent to the Department of Fish and Game for  
22 expenditure pursuant to Section 6217.9 of the Fish and Game  
23 Code for maintenance of coastal wetlands owned by the  
24 Department of Fish and Game.

25 (ii) Forty percent to the State Coastal Conservancy for  
26 expenditure pursuant to Section 6217.9 for maintenance of  
27 coastal wetlands.

28 (C) Ten million dollars (\$10,000,000) to the Marine Life and  
29 Marine Reserve Management Account, which is hereby created  
30 in the Resources Trust Fund. The money in the account shall be  
31 appropriated in the annual Budget Act to the Department of Fish  
32 and Game for expenditure for marine life management pursuant  
33 to Section 6217.2.

34 (D) Ten million dollars (\$10,000,000) to the Nongame Fish  
35 and Wildlife Program Account, which is hereby created in the  
36 Resources Trust Fund. The money in the account shall be  
37 appropriated in the annual Budget Act to the Department of Fish  
38 and Game for expenditure for management and protection of  
39 nongame fish and wildlife trust resources, and law enforcement

1 *activities relating to the management and protection, consistent*  
2 *with Section 711 of the Fish and Game Code.*

3 *(E) Ten million dollars (\$10,000,000) to the State Parks*  
4 *System Deferred Maintenance Account, which is hereby created*  
5 *in the Resources Trust Fund. The money in the account shall be*  
6 *appropriated in the annual Budget Act to the Department of*  
7 *Parks and Recreation for deferred maintenance expenses.*

8 *(F) Five million dollars (\$5,000,000) to the Wetlands and*  
9 *Riparian Habitat Conservation Account, which is hereby created*  
10 *in the Resources Trust Fund. The money in the account shall be*  
11 *appropriated in the annual Budget Act to the Wildlife*  
12 *Conservation Board for expenditure on wetland and riparian*  
13 *habitat projects that are consistent with the North American*  
14 *Waterfowl Management Plan. Two million dollars (\$2,000,000)*  
15 *of that amount shall be allocated to the Inland Wetlands*  
16 *Conservation Fund established pursuant to Section 1430 of the*  
17 *Fish and Game Code for use pursuant to that section.*

18 *(G) Upon appropriation by the Legislature in the annual*  
19 *Budget Act, one million dollars (\$1,000,000) to the California*  
20 *Coastal Commission.*

21 *(H) Upon appropriation by the Legislature in the annual*  
22 *Budget Act, two million three hundred thousand dollars*  
23 *(\$2,300,000) to the Department of Parks and Recreation for*  
24 *environmental education activities.*

25 *(I) The unencumbered balance to the General Fund.*

26 *(d) This section shall become operative on July 1, 2007.*

27 *(e) This section shall become inoperative on July 1, 2012, and,*  
28 *as of January 1, 2013, is repealed unless a later enacted statute,*  
29 *which becomes effective on or before January 1, 2013, deletes or*  
30 *extends the dates on which it becomes inoperative and is*  
31 *repealed.*

32 *SEC. 3. Section 6217 is added to the Public Resources Code,*  
33 *to read:*

34 *6217. (a) With the exception of revenue derived from state*  
35 *school lands and from sources described in Sections 6217.6,*  
36 *6301.5, 6301.6, 6855, and Sections 8551 to 8558, inclusive, and*  
37 *Section 6404 (insofar as the proceeds are from property that has*  
38 *been distributed or escheated to the state in connection with*  
39 *unclaimed estates of deceased persons), the commission shall*  
40 *deposit all revenue, money, and remittances received by the*

1 commission under this division, and under Chapter 138 of the  
2 Statutes of 1964, First Extraordinary Session, in the General  
3 Fund. Out of those funds deposited in the General Fund,  
4 sufficient moneys shall be made available each fiscal year for the  
5 following purposes:

6 (1) Payment of refunds, authorized by the commission, out of  
7 appropriations made for that purpose.

8 (2) Payment of expenditures of the commission as provided in  
9 the annual Budget Act.

10 (3) Payment to cities and counties of the amounts specified in  
11 Section 6817 for the purposes specified in that section, out of  
12 appropriations made for that purpose.

13 (4) Payment to cities and counties of the amounts agreed to  
14 pursuant to Section 6875, out of appropriations made for that  
15 purpose.

16 (b) This section shall become operative on July 1, 2012.

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19 **All matter omitted in this version of the bill**  
20 **appears in the bill as amended in Senate,**  
21 **May 1, 2006 (JR11)**  
22